

54



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,501	07/28/2000	Seung Phil Roh	LT-001	3786
34610	7590	03/24/2005	EXAMINER	
FLESHNER & KIM, LLP			TRAN, THAI Q	
P.O. BOX 221200			ART UNIT	
CHANTILLY, VA 20153			PAPER NUMBER	
			2616	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/628,501

Applicant(s)

ROH, SEUNG PHIL

Examiner

Thai Tran

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004 and 19 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/19/2000.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-14 and 19-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 8-13, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tindall (US 4,839,745) in view of Ito et al (US 2002/081787 A1).

Regarding claim 1, Tindall discloses a method for storing data from a storage device to a recording medium (Figs. 1-2), comprising:

(a) searching for a recordable location in the recording medium when a data store is requested from said storage device in communication with the recording medium through an interface, wherein said storage device included a microprocessor and a memory (the automatic search capabilities disclosed in col. 4, lines 30-64, Save and B Save disclosed in col. 17, lines 39-54, and the UART interface disclosed in from col. 7, line 59 to col. 8, line 12);

(b) recording data received through the interface from said memory of said storage device in the location discovered in (a), wherein the data have been converted from the data of a multimedia file which is selected in said storage device (the automatic

Art Unit: 2616

search capabilities disclosed in col. 4, lines 30-64, Save and B Save disclosed in col. 17, lines 39-54, and the UART interface disclosed in from col. 7, line 59 to col. 8, line 12); and

(c) creating management information regarding the data recorded (the file header including file name disclosed in col. 13, lines 7-47 and the tape location markers disclosed in col. 18, lines 15-39). However, Tindall does not specifically disclosed that the recording medium is a digital tape recording medium and the digital interface.

Ito et al teaches a data communication apparatus, method and system and programs for data communication process stored in computer readable storage medium having apparatuses A to H are interconnected by twist pair cables in conformity with IEEE 1394 specification (interface) and these apparatus are a PC (Personal Computer), a digital VTR (Video Tape Recorder), a DVD (Digital Video Disc) player, a digital camera, a hard disk, a monitor and the like (page 4, paragraph #0078).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the digital video tape recorder as taught in Ito et al into Tindall's system in order to increase the quality of the video to be recorded and reproduced because digital VTR has higher quality than analog VTR and incorporate the IEEE 1394 interface as taught by Tindall's system in order to increase the transmission speed of data between devices because IEEE 1394 has higher transmission speed.

Regarding claim 2, Ito et al also discloses the claimed transmitting information on the characteristics and recording status of the recording medium to the microprocessor

Art Unit: 2616

of the storage device before the process recited in (a) (recognize the network configuration of the 1394 network disclosed in page 4, paragraph #0080).

Regarding claim 3, Ito et al discloses the claimed wherein the data streams are transport stream of MPEG format (MPEG format disclosed in page 11, paragraph #205).

Regarding claim 4, Tindall discloses the claimed wherein the management information is repeatedly recorded in the recording medium (the file header including file name disclosed in col. 13, lines 7-47 and the tape location markers disclosed in col. 18, lines 15-39).

Regarding claim 5, Tindall discloses the claimed wherein the management information includes file information received together with the data streams from said storage device (the file header including file name disclosed in col. 13, lines 7-47 and the tape location markers disclosed in col. 18, lines 15-39).

Regarding claim 6, Tindall discloses the claimed wherein the management information includes information on the section of the recording medium in which the received data streams are recorded (the file header including file name disclosed in col. 13, lines 7-47 and the tape location markers disclosed in col. 18, lines 15-39).

Regarding claim 8, Tindall discloses a method for retrieving data from a recording medium and sending the reproduced data to a storage device through an interface (Figs. 1-2), comprising:

(a) reproducing management information recorded in the recording medium when a retrieving request for a given multimedia file is received from a microprocessor

Art Unit: 2616

of said storage device (Load and B Load disclosed in col. 15, lines 3-52 and the tape location markers disclosed in col. 18, lines 39);

(b) identifying a recording location of the given multimedia file based upon the reproduced management information (Load and B Load disclosed in col. 15, lines 3-52 and the tape location markers disclosed in col. 18, lines 39);

(c) searching for the identified location in the recording medium and reproducing recorded data from the identified location (Load and B Load disclosed in col. 15, lines 3-52 and the tape location markers disclosed in col. 18, lines 39); and

(e) storing the transmitted data into a memory of said storage device (B Save and Save disclosed in col. 17, lines 39-54, the UART interface disclosed from col. 7, line 59 to col. 8, line 12 and video monitor 22 disclosed in col. 5, lines 37-49). However, Tindall does not specifically disclose that the recording medium is a digital recording medium, a digital interface, (d) converting the reproduced data into transport streams.

Ito et al teaches a data communication apparatus, method and system and programs for data communication process stored in computer readable storage medium having apparatuses A to H are interconnected by twist pair cables in conformity with IEEE 1394 specification (interface) and these apparatus are a PC (Personal Computer), a digital VTR (Video Tape Recorder), a DVD (Digital Video Disc) player, a digital camera, a hard disk, a monitor and the like (page 4, paragraph #0078) and wherein the data to be transmitted is converted to IEEE 1394 transport stream.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the digital video tape recorder as taught in Ito et al into Tindall's

Art Unit: 2616

system in order to increase the quality of the video to be recorded and reproduced because digital VTR has higher quality than analog VTR and incorporate the IEEE 1394 interface as taught by Tindall's system in order to increase the transmission speed of data between devices because IEEE 1394 has higher transmission speed.

Regarding claim 9, Tindall also discloses the claimed wherein the microprocessor of the storage device stores the TS data in computer readable storage medium of the storage device as a file (B Save and Save disclosed in col. 17, lines 39-54, the UART interface disclosed from col. 7, line 59 to col. 8, line 12 and video monitor 22 disclosed in col. 5, lines 37-49).

Regarding claim 10, Ito et al discloses the claimed wherein the microprocessor of the storage device decodes the TS data to present video and/or audio (decoder disclosed in page 11, paragraph #0023).

Regarding claim 11, Tindall discloses the claimed wherein the retrieving request includes a file name of the given file and an identification code of file set to which the given file belongs (the file header including file name disclosed in col. 13, lines 7-47 and the tape location markers disclosed in col. 18, lines 15-39).

Regarding claim 12, Tindall discloses the claimed wherein the retrieving request includes a file name and a directory name of the given file (the file header including file name disclosed in col. 13, lines 7-47 and the tape location markers disclosed in col. 18, lines 15-39).

Regarding claim 13, Tindall discloses the claimed reproducing the tape recording medium according to a request of information on recorded files, detecting management

Art Unit: 2616

information on the recorded files, and transmitting the detected information to said storage device before said step (a) (Load and B Load disclosed in col. 15, lines 3-52 and the tape location markers disclosed in col. 18, lines 39).

Regarding claim 19, Tindall discloses the claimed, before the process of (a):

providing a list of multimedia files from the microprocessor for selection by a user (file headers disclosed in col. 13, lines 7-47, Load and B Load disclosed in col. 15, lines 3-52 and the tape location markers disclosed in col. 18, lines 39);

reading data of a selected multimedia file from a computer readable storage medium by the microprocessor (Load and B Load disclosed in col. 15, lines 3-52 and the tape location markers disclosed in col. 18, lines 39); and

storing data in the memory (the file header including file name disclosed in col. 13, lines 7-47, the UART interface disclosed from col. 7, line 59 to col. 8, line 12 and video monitor 22 disclosed in col. 5, lines 37-49). Ito et al discloses the claimed converting the read data into packets of transport stream (TS) format (IEEE 1394 transport streams).

4. Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tindall (US 4,839,745) in view of Ito et al (US 2002/0181787 A1) as applied to claims 1 and 8 above, and further in view of Aoki (US 6,301,588 B1).

Regarding claim 7, the combination of Tindall and Ito et al discloses all the claimed limitations of claim 1 above except for providing that wherein (b) and (c) record the received data in a main code and the management information in a subcode area of



Art Unit: 2616

the recording medium wherein the main code and the subcode area satisfy a DVHS standard.

Aoki teaches that, in the digital video tape, the directory can be recorded in the sub code area while the video and audio are recorded in the main area (col. 4, lines 38-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the recording medium as taught by Aoki into the combination of Tindall and Ito et al in order to decrease the time in recording the latest management information.

Claim 14 is rejected for the same reasons as discussed in claim 7 above.

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tindall (US 4,839,745) in view of Ito et al (US 2002/0181787 A1) as applied to claims 1 and 19 above, and further in view of Saito et al (US 6,523,696 B1).

The combination of Tindall and Ito et al discloses all the claimed limitations as discussed in claim 1 and 19 above except for providing that the computer readable storage medium is the Internet.

Saito et al teaches Internet can be access by conventional computer (col. 24, lines 35-40 and col. 26, lines 53-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of accessing the Internet as taught by Saito et al into Tindall's system in order to allow the computer of Tindall to access data in the Internet.

Art Unit: 2616

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

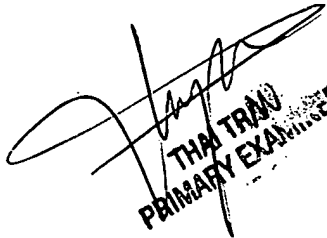
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (571) 272-7382. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTQ

  
THAI TRAN  
PRIMARY EXAMINER